

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**UNITED STATES OF AMERICA**

**v.**

**JAMES F. LYNCH**

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**CRIMINAL ACTION**

**NO. 07-431-01**

**ORDER**

**AND NOW**, this 18th day of December, 2012, upon consideration of Lynch's Motion for Return of Property, or in the Alternative for Equitable Relief (Document No. 75, filed August 17, 2012), Government's Response to James F. Lynch's Motion for Return of Property, or in the Alternative for Equitable Relief (Document No. 79, filed October 19, 2012), and Reply Brief of James Lynch in Support of Motion for Return of Property, or in the Alternative for Equitable Relief (Document No. 84, filed November 21, 2012), for the reasons set forth in the Memorandum dated December 18, 2012, **IT IS ORDERED** that Lynch's Motion for Return of Property, or in the Alternative for Equitable Relief is **DENIED IN PART AND DISMISSED IN PART** as follows:

1. The Motion is **DENIED** to the extent Lynch's claims that the forfeiture of the \$19,400 violated due process;
2. The Motion is **DISMISSED** to the extent Lynch's claims that the forfeiture of the \$19,400 should be set aside as a direct or collateral consequence of his now-vacated conviction; and
3. The Motion is **DENIED** in all other respects.

**BY THE COURT:**

/s/ Hon. Jan E. DuBois

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**JAN E. DuBOIS, J.**